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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,970	10/13/2005	Peter Albert Cirkel	NL030393UD1	1669
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EXAMINER				
DUONG, TAI V				
ART UNIT		PAPER NUMBER		
2871				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/552,970

Applicant(s)

CIRKEL ET AL.

Examiner

TAI DUONG

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-10 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 October 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- Paper No(s)/Mail Date 10/13/05.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: the reference number **12** of Fig.2. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the recited feature "at least one external electrical connection and a conductive pattern" of claim 10 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is

being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is not consistent with the specification and the drawings because of the recited feature "*forming part of a display area*". The specification and the drawings do not disclose a forming part of a display area. Therefore, it is unclear to which part of the display area the forming part refers. Regarding claim 9, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). The preamble of claims 9 and 10 are inconsistent with that

Art Unit: 2871

of claim 7. The remaining claims are also rejected since they depend on claim 1.

Lastly, in claim 1, line 5, "ITom" should be "from".

In the below rejections over the prior art, the feature "forming part of a display area" of claim 1 has been interpreted as "a display area".

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Min et al (US 2002/0163601) cited by Applicant.

Note Figs. 1, 4, 6 and 7 which identically disclose the claimed display device comprising at least a first substrate (not labeled but disclosed in paragraph 0028), a display area (the LCD unit) and at least one electrically controlled input device (the fingerprint capture sensor unit), characterized in that a first conductor pattern for driving said display area (the bus lines of the LCD unit in Figs. 6-7) and a second conductor pattern for transmitting signals from said electrically controlled input device (the bus lines of the fingerprint capture sensor unit in Figs. 6-7) are both arranged on said first substrate, and said first conductor pattern and said second conductor pattern are arranged on a single side of said first substrate. See discussions of the recited features in paragraphs 0005 and 0026-0035.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 8 and 9 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Min et al (US 2002/0163601).

Min et al disclose that the fingerprint capture sensor is *simultaneously* formed on the substrate in which the TFT panel 121 is formed in the *same* fabrication process (paragraph 0028), and *both* the LCD part and the fingerprint capture sensor can be manufactured in a *single* fabrication process (paragraph 0039). Although Min et al do not explicitly disclose that the first and second conductor patterns are manufactured from the same conductor material or patterning a layer of conductive material in order to generate a display area conductor pattern and an input device conductor pattern on said first substrate, such features are inherent with the above disclosures in paragraphs 0028 and 0039. In the alternative, it would have been obvious to a person of ordinary skill in the art to manufacture or pattern the first and second conductor patterns from the same conductor material/layer for reducing the fabrication process steps of the device.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Min et al (US 2002/0163601) in view of JP 2002-312124 (JP'124) cited by Applicant.

The only difference between the display device of Min et al and that of the instant claim is at least one of the substrates being manufactured from a flexible material. The JP'214 discloses in Fig. 2 the upper substrate 1 being manufactured from a flexible material. Thus, it would have been obvious to a person of ordinary skill in the art in view of the JP214 to employ a flexible substrate as the upper substrate in the device of Min et al for preventing the breakage or crack of the upper substrate due to the pressing operation.

Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Min et al (US 2002/0163601).

As apparent from Figs. 1, 2b and paragraph 0033, the LCD part and the fingerprint capture sensor are intended to be operative with a backlight 20. It would have been obvious to a person of ordinary skill in the art to manufacture the first and second conductor patterns from an essentially optically transparent conductor material in the device for not reducing the brightness of the display and at the same time simplifying the fabrication process.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Min et al (US 2002/0163601) in view of Kono et al (US 2001/0043291).

As apparent from Figs. 6 and 7 of Min et al, the display image signal has to be transmitted by a conductive pattern from an external electrical connection. Kono et al disclose in Fig. 17 a portable phone (display device) 560 connecting

Art Unit: 2871

with an information processing device via external electrical connection (paragraph 0152). Thus, it would have been obvious to a person of ordinary skill in the art in view of Kono et al to employ in the device of Min et al at least one external electrical connection (for accessing the display device from the outside) for displaying information from an external device. Also, it would have been obvious to a person of ordinary skill in the art to simultaneously form a conductive pattern for transmitting signals from said external electrical connection in the above-mentioned single processing step for simplifying the fabrication process of the display device.

Claims 4 and 5 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claim 4 is allowed over the prior art of record because none of the prior art discloses or suggests a display device having structure as recited in claim 3 in combination with the feature "a plurality of conducting particles, having a diameter smaller than the distance between said substrate, are arranged between said substrates, in the area of said input device". Claim 5 is also allowed since it depends on claim 4.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Van Berkel discloses an integrated display and object sensing user input device wherein display components and electric field sensing components are provided on a substrate.

Art Unit: 2871

Any inquiry concerning this communication should be directed to Tai Duong at telephone number (571) 272-2291.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

TVD
06/08

/Dung Nguyen/
Primary Examiner, AU 2871

